

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ALLAN WHITE,

Plaintiff,

-vs-

Case No. 02-71710  
Hon: AVERN COHN

HARRY TRAPP and TOM PHILLIPS,

Defendants.

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**ORDER DENYING MOTION FOR NEW TRIAL**

This is a prisoner civil rights action brought under 42 USC §1983. After a three day trial, a jury found in favor of defendants. Plaintiff has filed a motion for a new trial under Fed.R.Civ.P. 59(a). The motion is DENIED. Simply put, plaintiff disagrees with the jury's decision. This is an insufficient basis for requiring defendants to defend themselves in front of a second jury.

SO ORDERED.

\_\_\_\_\_  
s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: September 7, 2006

I hereby certify that a copy of the foregoing document was mailed to Allan White, #127009, Lakeland Correctional Facility, Coldwater, MI 49036 and the attorneys of record on this date, September 7, 2006, by electronic and/or ordinary mail.

\_\_\_\_\_  
s/Julie Owens  
Case Manager, (313) 234-5160